

Mr. SPEAKER.—I will put the motion :

The question is :

“ That we, the members of the Mysore Legislative Assembly assembled in this session beg leave to thank the Governor for the address delivered to the members of the Legislature on 12th January 1965.

(The motion was adopted)

REPORT OF THE JOINT SELECT COMMITTEE ON THE MYSORE PUBLIC LIBRARIES BILL, 1964.

(Motion to consider)

Mr. SPEAKER.—Next item in the business.

Sri S. R. KANTHI.—Sir, I beg to move:

“ That the report of the Joint Select Committee on the Mysore Public Libraries Bill, 1964, be taken into consideration.”

Mr. SPEAKER.—Motion moved :

“ That the report of the Joint Select Committee on the Mysore Public Libraries Bill, 1964, be taken into consideration”.

† Sri S. R. KANTHI.—The Joint Select Committee on Mysore Public Libraries Bill have made certain amendments to the original Bill. But looking to the whole tenor of the amendments I can mention two or three important amendments they have made. The first is that they have suggested certain amendments to the personnel of the local library authorities, both in city as also in the district Library committees. The most important of them is the term of office for these authorities; it has been increased from two to three years. Another important thing that they have recommended is that there should be a State Library fund attached to the State Library authority. They have also recommended that the powers of the Chairman and Vice-Chairman of local authorities should be defined and that has been done. In order to give it a more representative character they have recommended that the representatives of the TDB's or of the Panchayats should be there on these authorities. Similarly an amendment has been made.

In the original Bill the cess was three per cent. The committee thought that in certain cases it may be raised upto to six paise in a rupee of the local tax provided the previous sanction of the Government is obtained. With these amendments the report of the Joint Select Committee has been submitted to the House. I do not think the other amendments are so important except that they have also taken opportunity to define certain definitions, namely, State owned library, Chief Librarian, and some such things.

This is a very simple Bill and it is useful because as we are aware such Acts are existing in Madras Karnatak and Hyderabad Karnatak areas. The Select Committee has taken into consideration not only these two Acts prevailing in our State but they have taken into consideration the Andhra Act as also Madras Act. The present recommendations are the product of the labours which the Select Committee put in in understanding and incorporating them. I have not much to add. The Bill may be taken into consideration.

Sri B. R. SUNTHANKAR.—We did not get the list of business in time. This morning also I did not find it.

Mr. SPEAKER.—I will look into it.

Sri V. S. PATIL.—But the difficulty is I have also not studied it. So far as the Select Committee report I will say something.

Sri G. V. GOWDA.—We have not yet sent amendments.

Mr. SPEAKER.—Who asked the Hon'ble Members not to send them.

Sri G. V. GOWDA.—We thought this Bill will not be taken up to-day.

Mr. SPEAKER.—It is surprising that Sri G. V. Gowda should think that it will not be taken up. How can there be any change after it is included in the agenda?

Sri C. J. MUCKANNAPPA.—We will see that this is passed within one hour and 15 minutes.

Sri G. V. GOWDA (palya).—Two hours is the time given.

Mr. SPEAKER.—It must have been over within one hour. Reply also must have been over yesterday. However, I want to see that members are satisfied. It is not a question of hurriedly passing the Bill. I do not have that approach at all. I request the Hon'ble Members to co-operate with me. It is said that copies of the agenda were put in the pigeon-holes.

Sri V. S. PATIL.—I was under the impression, Sir, that will be taking supplementary demands that was informally discussed in our meeting. We did not study this Bill. We did not send up our amendments. That is the reason why we are unable to discuss to-day in the morning when this Bill is coming up for discussion. I have hurriedly gone through this report. When the House is seized of the Bill, we must do something. So far as the report is concerned I will say something.

Mr. SPEAKER.—I will give them time. Let us come to a definite conclusion. Let it be over by a hour and a half next day.

Sri V. S. PATIL.—This is one of the Bills which was criticised by me when it was first introduced. We have nothing to allege against establishment of such Libraries. But the main point on which we were against was, the whole power was taken by Government for nominating their own persons on various bodies that are to be constituted under this Act. I do not understand why the Government is persisting upon these nominations, instead of those objections being raised at the time of the first reading of this Bill. The Clause 3, in paragraph 9—“as regards nomination of persons who are experts in library science, the Committee

(SRI V. S. PATIL)

are of the opinion that instead of nominating two persons, the State Government may nominate three persons.", clearly shows Sir, that there is no change in the Government's attitude regarding these nominations.

Mr. SPEAKER.—Has the Government prepared this report of the Select Committee?

Sri V. S. PATIL.—I am saying that the power given to the Government has not at all been considered in view of the criticisms made in this connection when the Bill was first considered. As regards the nomination of persons, the Committee says "persons who are experts in Library Science, the Committee are of the opinion that instead of nominating two persons, the State Government may nominate 3 persons". When we were trying to curtail their nominations, the Government is trying to increase them by making nominations. The Report further states the Government can take into consideration any recommendation which the Mysore Library Association makes. If the Mysore Library Association makes any recommendation, the Government may take into consideration. It is not binding upon the Government. This is really strange. It leads to such doubts that the Government may nominate any person who do not know anything about the Library. But the Government wants to nominate their own persons. That is the reason why we are opposing the question of nominations. Then subsequently, Sir, another clause in paragraph 14, it is said "that the Committee are of the opinion that it may be difficult to get experts in Library science in every City for being nominated as members of a Library Authority. The reference to qualification may therefore be deleted." This clearly shows that the power of nominations so far as the clause 3 is concerned was taken by the Government on the ground that the persons who are experts in Library science may not be able to get elected and that is why with a view to have good people *i.e.*, persons who have got library science qualifications or experts in that particular branch of science may be nominated by the Government. But in this clause 17, the Committee itself has admitted that this qualification of experts is to be deleted. That means the Government is free now to nominate anybody. They may be one of the hirelings of this Association or the Committee, who wish to be on such Committees in order to get some allowance. This is really very bad. That is why I say that the nomination business which is approved by the Committee is against the principle of democracy.

12-00 NOON

These very persons, Sir, including our Hon'ble Minister for Education, when we were ruled by foreigners, were fighting tooth and nail against the nominations. They were saying at that time that nomination is nothing but mere taking power by the Government to deprive the people of their rights. We are now feeling that Foreign Government was

a better one. If they had got up anything better, we would not have objected. The question of election must be given preference, whether it is this Government or that Government. Of course, the nomination matter is thriving up in the Congress Government by leaps and bounds. The Municipal Administration and the Corporation Administration are now crowded with nomination by various bodies.

Now, I deal with paragraph 15 Sir. This paragraph 15 deals with Clause 18 and it says :

“As the Deputy Commissioner of the District is the Chairman of the District Development Council, the Committee consider that he would be the appropriate person to be the Chairman of the District Library Authority as proposed in the Bill.”

I feel, that the Committee and the Chairman of this Committee is bind to the fact that there is a Bill pending before the House and which is likely to be passed in this House, i.e., the Panchayat Raj Bill. According to that, the Deputy Commissioner is not to be the Head of this District Development Council ; the District Development Council is to be abolished and a District or Zilla Parishad is to be formed and an elected person is to be the resident of that Body. This thing is on the anvil of this august House, which is likely to be passed and it will have to be brought into force within a month's time. Then, why this Deputy Commissioner is taken up as the Chairman of the District Committee, I do not understand. The Hon'ble Members of the Select Committee ought to have mentioned whether the President of the District Body is to be called a President of the District Development Council or a Zilla Parishad in order to avoid any further complications while implementing this Bill. Otherwise, I fear; that the free implementation of this Bill, so far as the District level is concerned, will be hampered and blocked, because this District Development Council is to be abolished the and the Deputy Commissioner has no place so far as these bodies are concerned. That is why this aspect of the case has not at all been taken into consideration by the Joint Select Committee. I do not know whether the Committee Members are aware of the other Bill that is pending I can say that some of these Committee Members are also Committee Members in that Bill. I do not know why this mistake has not been rectified by the Joint Select Committee.

Sri S. R. KANTHI.—This aspect was considered by the Joint Select Committee and they were of the opinion that it may take some time by the time the Panchayat Raj Bill comes up, and so they thought that the Deputy Commissioner, who is the Chairman of the Development Council should be the Chairman for the present. They are also of the opinion that as soon as that Bill is passed and brought into operation, necessary change will be made here.

Sri V. S. PATIL.—That means, we will have to bring an amendment to the present Bill. The Head of the Development Council or the Zilla Parishad, by whatever name it may be called, if these words are there, then we need not bring one more amendment to the present Act.

Mr. SPEAKER.—When the Hon'ble Member says that the Head of the Zilla Parishad may be the Head, is he not referring to an institution which is yet to be born?

Sri V. S. PATIL.—So, there will not be any occasion to bring in any amendment immediately that Act comes into force. The Committee are also of the opinion that there should be one representative of the Taluk Board and he may be nominated by the State Government. I do not understand what is the meaning of this. When the Taluk Development Boards are there actually working now for the last three or four years, why should those Boards should not be given any powers to elect their own representative on this District Body? Why the Government is to be given this power to nominate that person from among the members of the Taluk Board? So, my submission is that the Government is very much keen upon providing their own hirelings everywhere.

Sri S. R. KANTHI.—We made it clear that it is going to be a very costly affair. There is going to be only one representative and there will be about 10 or 12 institutions. One man to go round the Taluk for being elected on a body like the District Library Authority is a very costly affair.

Sri V. S. PATIL.—Sir, regarding these Panchayats, there also the question is not of election but of nomination. I am objecting to this because we have very bad experience so far as this nomination business is concerned. The Members on our Boards, the Education Boards, the District School Boards, etc., are nominated and they are functioning for the last two or three years. Our experience is that this nomination business is not a good one. That is why, instead of criticising those Boards, I would like to bring to the notice of the Government that as far as possible this nomination business must be curtailed and the power should be given to the elected bodies to elect their own representative. There may be some ways and means under which these elections could be held. So, I submit that with regard to this nomination business, even now the Government may think twice before they get it passed in this House.

Then, I refer to Section 24. Section 24 refers to Clause 30 (original clause 27), which says:

“...They are therefore, of the opinion that the Local Library Authorities may be empowered to increase the rate of library cess upto six paise for every rupee of the tax levied. Sub-clause (2) has accordingly been inserted in this Clause.”

This tax business is practically ominous to people. There are so many taxes that are sponsored by the Government and what is the return for it? Practically nothing. The people are overburdened with taxes. Originally it was proposed to have, I think, three paise in a rupee, and now it is being increased to six paise. In the Panchayat Act again, there are taxes to be increased and above all, after the Reversion Settlement the resolution is passed.

According to the Revenue Minister's assemssent, we are now getting about Rs. 4½ crores now and it is likely that we are going to get more

than Rs. 8 crores. Then, how much taxation is to be increased? It is horrible. I submit, Sir, instead of 6 paise, it may be mentioned as only one paise. That will be more than sufficient because the revenue assessment itself is going to be increased by double. That is why I say that the increase from 3 paise to 6 paise will be abnormal and it may hit the present economic condition of the people, especially the cultivators and land-owners. The Committee says that the library cess levied at the rate of 3 pice for every rupee on different taxes would not be sufficient to provide satisfactory library service to members of the public. It may be necessary to enhance it. So, may I know from the Hon'ble Minister what is the probable collection on all these taxes on which this tax is to be imposed. I have stated about land revenue. But there are so many other taxes in the Corporation or municipalities; then there are so many taxes to be levied by the Panchayathiraj. The words used are 'on all the taxes' they are too vague. It may create so many difficulties. Whether library tax is to be imposed only on revenue or on sales tax or on what are those taxes on which this is to be levied is not clear.

SRI S. R. KANTHI.—On local taxes.

SRI V. S. PATIL.—We do not know what is your intention. Taxes on lands and buildings will mean all municipal taxes, corporation tax on buildings as well as Panchayathi Raj taxes. All these will have to be increased by 6 paise in a rupee.

SRI S. R. KANTHI.—Not necessarily 6 paise. It is only 3 paise. That is only an enabling clause.

SRI V. S. PATIL.—It includes a surcharge on tax on entry of goods into the local area for consumption, use or sale therein; that is, octroi tax. This tax is much more than any other tax. All the municipalities are practically surviving on octroi taxes. For example, I can say in Belgaum Municipality the total income is Rs. 24 lakhs and out of that Rs. 20 lakhs comes from octroi. If such a huge amount is to be given to this library, then where is the necessity of increasing it from 3 paise to 6 paise. It may be even one paise will be more than sufficient.

SRI S. R. KANTHI.—It is not the entire Rs. 20 lakhs; it is only 3 paise in a rupee. The total tax on account of this comes to only Rs. 6 lakhs for all the five municipalities.

SRI V. S. PATIL.—Your calculation is wrong. That is my submission. If you take into consideration all the amounts, that is, tax on land, building tax, octroi on goods, tax on vehicles, tax on professions and trades, callings and employment, then the calculation made by Government or by the Hon'ble Minister is completely wrong.

SRI S. R. KANTHI.—We have not concluded. The Expert Committee, Dr. Ranganathan's Committee has gone through the entire thing and they have come to the conclusion that it is only Rs. 6 lakhs for all the five municipalities.

SRI V. S. PATIL.—Supposing it is 3 paise. Then what will be the total assessment according to you?

SRI S. R. KANTHI.—It is according to Dr. Ranganathan and not according to me.

Sri V. S. PATIL.—This tax is to be levied on house, octroi tax, trade and all those things. You are going to increase those taxes in the villages. I am objecting to that. Even in the cities, how much tax we are to pay? That is the difficulty. So, the calculation made that only Rs. 6 lakhs will be collected appears to be completely wrong. If it is to be taken as 3 paise in a rupee for Rs. 2 crores, we can get Rs. 6 lakhs. But our land assessment is going to be Rs. 9 crores. I do not understand how the calculation has been made. The Hon'ble Revenue Minister has said several times on the floor of this House that the land revenue will be doubled. Now we are getting Rs. 4½ crores. Double that means Rs. 9 crores. What about the municipal taxes?

Mr. SPEAKER.—Rupees 9 crores will be land revenue. But we are not imposing 3 paise on land revenue. We are imposing cess on tax on land only, not on land revenue.

Sri S. R. KANTHI.—This six lakhs of rupees refers to 5 municipalities and 12 lakhs for the entire State excluding municipalities and in all, it is Rupees 18 lakhs.

Mr. SPEAKER.—If one calculates it at Rupees 18 lakhs, then land revenue has to be ignored. So, it is not 3 paise or 6 paise on aggregate land revenue but on tax on land.

Sri V. S. PATIL.—Clause (e) says Library cess in the form of a surcharge on land tax. Tax means land revenue also.

Mr. SPEAKER.—Clause 30 says :

“Library cess in the form of a surcharge on—(i) tax on lands and buildings.....

shall be levied in the area within the jurisdiction of every City Library Authority under the relevant laws relating to local authorities providing for the levy of such taxes.”

That means, area within the jurisdiction of any Library Authority under the relevant law, municipal corporation or municipal laws relating to local authorities. So, it does not cover the land revenue though land is also the word used here. If the local law or municipal law allows any such taxation to be levied, then only the question of cess comes in. That means only house tax; if there is local municipal tax on open land, that comes in on land revenue.

Sri S. R. KANTHI.—Would you please read the entire provision?

“...tax on lands and buildings shall be levied in the area within the jurisdiction of every City Library Authority under the relevant laws relating to local authorities providing for the levy of such taxes, at the rate of three paise for every rupee of the taxes so levied”

Sri V. S. PATIL.—Clause (b) says :

“a library cess in the form of a surcharge on tax on land and buildings shall be levied in the area within the jurisdiction of every district library authority.”

Sri S. R. KANTHI.—In the relevant clause relating to local authorities—that is the Panchayet Law.

Sri V. S. PATIL.—So, you mean to say that it is not to be levied on the land revenue ?

Sri S. R. KANTHI.—It is not one land revenue. Under the Bill we get only 3 per cent of the land revenue collected in the District.

Sri V. S. PATIL.—So you want to take 3 per cent of the land revenue in addition to these taxes.

Sri S. R. KANTHI.—Yes.

Sri V. S. PATIL.—Even that will be rather too much. So far as the land revenue is concerned, our contention is that the whole of the land revenue must go to the Panchayet Raj. There should not be any sharer so far as land revenue is concerned. We are going to press it. I think this is the view of the Balawantrai Committee that the land revenue should be given to the Development Council. That is why we do not want that any sharer should be created so far as land revenue is concerned. Land revenue is outside the scope of these taxes. Land revenue will not be shared. It is a separate cess to be separately collected and separately funded.

Sri S. R. KANTHI.—Three per cent of the land revenue collected in the district will be given by the Government to the District library local authority. The Hon'ble Member wants the entire thing to go to the Zilla Parishad. I must tell the Hon'ble Member that there is this kind of law in all the States in South India. In Madras you have got a library Bill. It is on the same model. The Government of India also have sent a model Bill in which they have put in all these things. We have copied that.

Sri V. S. PATIL.—Under clause 31 the wording is :

“(1) The State Government shall make annually a grant to every District Library Authority of an amount equal to three per cent of the land revenue collection of the District.”

This means that a sharer is created so far as the land revenue is concerned. But according to the recent report of the Balwantrai Committee, which is published in the newspapers yesterday. That Committee has recommended that all the land revenue collected must go as of right to the Panchayet Raj. And that body says that the institution should be made self-sufficient as far as this Panchayet Raj is concerned. So, I submit this will be contradictory to the wishes of that Committee and so it will have to be reconsidered. That is why I am opposing this imposition all the taxes on the people because we know and especially we have this huge complaint about the increase of price in the whole country. At least till the condition of the people is

(SRI V. S. PATIL)

some what eased or till such time the prices come back to normal, this taxation should not be enforced by the Government, because this is not a Bill which seeks to benefit the entire population of the area. It only concerns the literate people.

MR. SPEAKER.—Why does the Hon'ble Member say illiterate people? Illiterate people can have literate companions who can read for them.

SRI V. S. PATIL.—By the time they take advantage of this libraries Bill, it will be a long way.

SRI S. R. KANTHI.—The conception of a library has changed completely. The modern conception is social education is also part of the library service. Shwing of films, removal of illiteracy is also part of the library service.

SRI V. S. PATIL.—Our Hon'ble Minister has gone to foreign countries and he wants to give all modern concepts to the people. But people must be able to digest them. I submit that so long as the percentage of illiterary remains as high as it is today in our country, it is better that this Bill should be kept in cold storage for some time, until at least more than 50 per cent of the people can take advantage of this facility.

With these remarks, I submit Sir, that time for this Bill may be extended and this bill may be taken up on the next occasion so that Members may be allowed to move amendments.

(At this stage no Member got up to speak)

MR. SPEAKER.—Will Sri Sunthankar speak now?

SRI B. R. SUNTHANKAR.—I will speak on the next day.

SRI SIDDIAH KASHIMATH.—I will also speak on the next day.

MR. SPEAKER.—Now the House will rise and reassemble on the 27th at 1.00 P.M.

The House adjourned at Thirty Minutes past Twelve of the Clock to meet at One of the Clock on Wednesday, the 27th January 1965.
